

OCT 03 2007

Serial No. 10/694,530

Docket No.: SANZ-251

REMARKS

Entry of this amendment and reconsideration of this application, as amended, are respectfully requested.

It is respectfully submitted that the objection to claims 27 and 28 no longer applies.

Claims 21, 23 and 32 were rejected under 35 U.S.C. §102(e) over Bauer. Applicants respectfully traverse.

The Examiner alleges that Fig. 3 of Bauer discloses a configuration for n consumers 6 of electric energy. Fig. 3 illustrates diagrammatically part of a network 4 and in parallel a switch matrix 28 which is an example of a single matrix configuration (col. 5, lines 7-9). Consumers 6 are apparently the motors being illustrated on the right column of Fig. 3. These consumers are connected to variable speed drivers (VSD) 10 which in turn are connected to axis controller 8. Nowhere does Bauer disclose that m consumers out of n consumers are supplied simultaneously with energy.

As will be understood from col. 1, there is a VSD for each motor (col. 1, line 32). A VSD is not a source of electrical energy. Instead, the power or energy of any VSD is variable.

The relationship $m < n$ is nowhere disclosed, and the Examiner has not specifically shown where this feature is described.

Further, as stated above, variable speed drives 10 are not energy modules. Each motor of Bauer is connected to a respective VSD (col. 1, lines 31, 32).

According to the present invention there is no special coordination of a consumer to a respective energy module or VSD.

Bauer does not disclose that the sum of the power supplyable by the k energy modules is smaller than the power which would be necessary if all consumers simultaneously required electric power. The examiner has only repeated the wording of claim 1 on file and introduced two reference

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numerals, namely 6 and 10, but has not cited to any particular disclosure in Bauer to support his allegations to the contrary. The motors of Bauer are, of course, consumers, and these consumers are the only feature which Bauer and the present invention arguably have in common.

According to the Examiner, the features "wherein a control is provided which connects as many energy modules to respective one of the M consumers is disclosed by Bauer, col. 1, lines 31-49. However, the contrary is true. Lines 33-34 of Bauer disclose:

"... so that all of the motors (consumers) can be simultaneously operated ..." (emphasis added)

One of the most essential features of the invention is that not all of the consumers will be operated simultaneously.

Clearly, Bauer does not disclose each and every feature of the claimed invention, so this rejection must be withdrawn.

Also, it is not clear from the office action why the Examiner has objected claim 21 with respect to Berthaud. (See page 3 of Office Action). As the Examiner admits, Berthaud discloses – if at all – merely the feature that all of the energies are of the same power (col. 4, lines 48-54). However, col. 4, lines 48-54 reads as follows:

"... this inequation is used only one time in the PEC matrix. Likewise, a vector PVC is built by composing the vectors PV of all the power supplies. When a component PV is different for several identical power inequations from the PE matrices, the minimum value is kept for the single inequation kept."

It is not understood what the above passage has to do with energies of the same power. Moreover, there is not at all a relationship between Berthaud and an anticipation rejection of claim 21 on file. If at all, Berthaud could have been cited as a reference in connection with obviousness, but not with regard novelty, unless the Examiner meant to reject claim 32 under §103(a) over Bauer and Berthaud. Clarification is requested.

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Claims 22, 23, 25 and 31 were rejected under 35 U.S.C. § 103 over Bauer in view of Sellers (US 5,584,974).

The deficiencies of Bauer are discussed above, and the Examiner is correct when stating that Bauer does not disclose that the consumers are sputter installations, with each cathode of a sputter installation having its own arc management. However, Sellers et al. does not teach this feature, either. Col. 4, lines 25-28 of Sellers disclose:

"It is an object of this invention to enhance sputtering or other plasma chamber operations in a fashion which detects and deals with arcing or overvoltage condition, and which avoids the problems of the prior art."

There is no teaching that each cathode of a sputter installation has its own arc management.

For the sake of argument, even if Bauer and Sellers did disclose the features which the Examiner mentions, the skilled artisan would not arrive at a combination of Bauer and Sellers because it is not possible to combine the references as alleged by the Examiner.

The Examiner's allegation on page 4, second paragraph, is merely assertion without any reasonable, objective evidence. Why should a man skilled in the art combine Bauer with Sellers? Bauer concerns the control of stage equipment in a theatre, whereas Sellers relates to an arc control in a sputtering power supply. Bauer concerns International classes G05B 11/32, H02J 1/00 and H05B 37/02, whereas Sellers concerns International class C23C 14/54, a completely different class. Also, the respective U.S. classes are completely different.

Thus, the Examiner's combination is clearly based on hindsight, as these are non analogous arts.

With respect to claim 23, the Examiner again combines Bauer and Sellers. However, as mentioned above, such a combination is impossible.

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It is true that Sellers discloses a DC power supply 10 (Fig. 1). This power supply has nothing to do with Bauer. Bauer has no power supply at all, but only variable speed drives, but it is not disclosed whether these speed drives are DC or AC speed drives. The Examiner states that "Sellers teaches a device powered by electric energy realized by DC current." However, he does not explain where this feature is disclosed by Sellers.

With respect to claim 25, the feature

"... wherein the electric energy is realized by pulsed DC current" is recited. Bauer does not disclose this feature.

According to the Examiner's opinion Sellers teaches in Fig. 1 that a DC power supply can be converted to a pulse DC current. Indeed, Fig. 1 of Sellers shows a reversing pulse generator 18. However, a pulse generator according to Sellers cannot be incorporated into Bauer. If Bauer was provided with pulsed current, it would not work. It would not make any sense to provide pulsed current sources instead of variable speed drives. Motors 6 of Bauer are not step motors.

Claim 31 refers to the configuration as claimed in claim 22, wherein the pulse generator is assigned to each cathode. Sellers does not teach to assign a power supply to each of the cathodes. Accordingly, this is no pulsed DC power supply assignment to each cathode.

Claim 24 was rejected under 35 U.S.C. §103(a) over Bauer and Lau. Applicants respectfully traverse. Claim 24 recites that the electrical energy is realized by AC current. According to the Examiner's opinion, Bauer and Lau, in combination, would result in the combination of claims 21 and 24. However, Bauer has nothing to do with the power supply of this claim, nor has Lau. Thus, the combination of the two references does not lead to the subject-matter of the combination of claims 21 and 24, so this rejection must be withdrawn.

Claims 26-28 were rejected under 35 U.S.C. §103(a) over Bauer and Mahler. Applicants respectfully traverse.

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Claim 26 recites that "... each cathode is provided with its own adaptation network." This feature is not disclosed by Mahler so that a combination of Bauer and Mahler could never lead to the subject of the combination of claim 21 and claim 26.

It is believed that the amendments to claims 27 and 28 render this rejection moot.

Claims 29 and 30 were rejected under 35 U.S.C. §103(a) over Bauer and Milde. Applicants respectfully traverse.

Claim 29 recites that "... the consumers are sputter installations with each installation including two cathodes to which one pole reversal unit is assigned."

Milde discloses a sputter installation, seen in Figs. 1A and 1B of Milde which shows two targets 1 and 2 which are connected to a switching unit 4. However, it is impossible to combine Milde and Bauer, as would be clear to anyone skilled in the art, if they tried to add the drawings of Milde's Fig. 1A or Fig. 1B into Fig. 3 of Bauer. There is no possible way to make the alleged combination. If the Examiner is of the opinion that such a combination is possible, he is respectfully requested to provide a proposed drawing showing the combination.

Claim 30 of the present application recites:

"... wherein the consumers are sputter installations with each installation including two cathodes, of which the one cathode is connected to a pole of an AC voltage and the other cathode to the other pole of this AC voltage."

The Examiner alleges that Milde shows in Fig. 1A two cathodes, of which one cathode is connected to a pole of an AC voltage and the other cathode to the other pole of the AC voltage. However, switching element 4 of Fig. 1A is not an AC voltage source. An AC voltage source is shown at the right side of supply unit 5 of Milde. Clearly, this rejection was based on hindsight and must be withdrawn.

In any event, since the subject-matter of claim 21 is not anticipated by Bauer as discussed above, so the obviousness rejections must all be withdrawn.

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As has already been demonstrated above, Bauer does not anticipate claim 21 on file, primarily based on the fact that the present invention and Bauer have completely different goals. Those skilled in the art relating to Bauer, are completely different from those skilled in the art relating to the present invention.

The problem to be solved by the present invention to address the problem of making available only as much electric power as is actually required. Bauer has nothing at all to do with overcoming the above problem. Instead, Bauer discloses that (col. 2, lines 21-23):

"An object of the present invention is to provide a novel control system which is particularly applicable to an automatic motor-drive patch system."

There is no suggestion in Bauer to save electric power. Accordingly, a person skilled in the art who wishes to solve the problem on which the present invention is based, would never have looked to the problems which occur with "a scenery flying system implemented at The Olivier Theater, London" (col. 2, lines 16/17) or read a paper entitled "The National Theater's Scenery Hoist Matrix Scheme".

In view of the forgoing, allowance is respectfully requested.

If any fees are due for entry of this amendment, authorization is given to charge deposit account no: 50-0624.

If any extensions of time are required, please consider this a petition therefore and charge the petition fee to said deposit account.

Respectfully submitted,

By

James R. Crawford

Registration No.: 39,155

Fulbright & Jaworski L.L.P.
666 Fifth Avenue
New York, NY 10103
212-318-3000